

The Gazette of India

EXTRAORDINARY

PART II—Section 1

PUBLISHED BY AUTHORITY

No. 64] NEW DELHI, THURSDAY, NOVEMBER 1, 1956

MINISTRY OF LAW

New Delhi, the 1st November, 1956

**THE ROAD TRANSPORT CORPORATIONS
(AMENDMENT) ORDINANCE, 1956**

No. 8 OF 1956

Promulgated by the President in the Seventh year
of the Republic of India.

**An Ordinance to amend the Road Transport
Corporations Act, 1950.**

WHEREAS Parliament is not in session and the President
is satisfied that circumstances exist which render it
necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by
clause (1) of article 123 of the Constitution, the President
is pleased to promulgate the following Ordinance:—

1. (1) This Ordinance may be called the Road Transport
Corporations (Amendment) Ordinance, 1956.

Short
title and
commence-
ment.

(2) It shall come into force at once.

64 of 1950. 2. During the period of operation of this Ordinance, the
Road Transport Corporations Act, 1950, shall have effect
as if after section 47, the following section had been in-
serted, namely:—

Insertion
of new
section
47A.

37 of 1956. “47A. (1) Where on account of the reorganisation
of States under the States Reorganisation Act, 1956,
the whole or any part of a State in respect of which
a Corporation was, immediately before the 1st day of
November, 1956, functioning and operating, is trans-
ferred on that day to another State and by reason of

Special
provision
for recons-
titution or
dissolution
of certain
Corpora-
tions.

such transfer, it appears to the State Government necessary or expedient that the Corporation should be reconstituted or reorganised in any manner whatsoever or that it should be dissolved, the State Government may frame a scheme for the reconstitution, reorganisation or dissolution of the Corporation including proposals regarding the formation of new Corporations, the amalgamation of the Corporation with any other Corporation, body corporate or a commercial undertaking of another State Government, the transfer of the assets, rights and liabilities of the Corporation in whole or in part to any other Corporation, body corporate or a commercial undertaking of another State Government and the transfer or re-employment of any workmen of the Corporation, and the State Government may forward the scheme to the Central Government for approval.

(2) On receipt of any such scheme, the Central Government may, after consultation with the State Governments concerned, approve the scheme with or without modifications and for the purpose of giving effect to the approved scheme, the Central Government may, from time to time, make such order in relation thereto as it thinks fit and every order so made shall have effect notwithstanding anything contained in this Act.

(3) Any order made under sub-section (2) may provide for all or any of the following matters, namely:—

(a) the dissolution of the Corporation, notwithstanding anything contained in section 39;

(b) the reconstitution or reorganisation, in any manner whatsoever, of the Corporation including the establishment, where necessary, of more than one Corporation in any State;

(c) the amalgamation of two or more Corporations, or of one Corporation with any other body corporate or a commercial undertaking of any other State Government;

(d) the extension of the area for which the Corporation is established, or the exclusion of any area therefrom;

(e) the transfer, in whole or in part, of the assets, rights and liabilities of the Corporation including the transfer of any licences or permits granted to the Corporation, to any other Corporation, body corporate or a commercial undertaking of any other State Government, and the terms and conditions of such transfer;

(f) the transfer or re-employment of any workmen of the Corporation to, or by, any such transferee, and, subject to the provisions of section 111 of the States Reorganisation Act, 1956, the ³¹ of 1956. terms and conditions of service applicable to such workmen after such transfer or re-employment;

(g) such incidental, consequential and supplemental matters as may be necessary to give effect to the approved scheme.

(4) Where an order is made under this section transferring the assets, rights and liabilities of any Corporation, then, by virtue of that order, such assets, rights and liabilities of the Corporation shall vest in, and be the assets, rights and liabilities of, the transferee."

RAJENDRA PRASAD,
President.

K. V. K. SUNDARAM,
Secy. to the Govt. of India.

